

**SUMTER COUNTY BOARD OF COMMISSIONERS  
EXECUTIVE SUMMARY**

**SUBJECT:** Award and enter into contract with Boykin Construction, Inc. for ITB 144-0-2009/AT CR 528 East of CR 526A Road Improvement Project (Staff recommends approval).

**REQUESTED ACTION:** Award and enter into contract with Boykin Construction, Inc.

☐ Work Session (Report Only)    **DATE OF MEETING:** 2/9/2010  
☒ Regular Meeting                      ☐ Special Meeting

**CONTRACT:** ☐ N/A

Vendor/Entity: Boykin Construction,  
Inc.

Effective Date: 2/9/2010

Termination Date: 7/30/2010

Managing Division / Dept:

Public Works

**BUDGET IMPACT:** \$332,949.18

☒ Annual

**FUNDING SOURCE:**

Secondary Trust

☐ Capital

**EXPENDITURE ACCOUNT:**

103-340-541-6575

☐ N/A

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**HISTORY/FACTS/ISSUES:**

ITB 144-0-2009/AT CR 528 East of CR 526A Road Improvement Project was broadcast on 12-11-2009. Bids were due on 1-25-2010 at 10:00am and were opened at 10:05am in Room 142, located at the Government Offices, 910 North Main Street, Bushnell, FL 33513.

Nine (9) bids were received and are listed in order from the lowest to highest the highest price: 1. Boykin Construction, Inc. \$332,949.18. 2. Art Walker Construction, Inc. \$339,841.43. 3. Utility Systems Construction, Inc. \$357,138.86. 4. CW Roberts Contracting, Inc. \$378,538.44. 5. Mercon Construction \$395,905.03. 6. Professional Dirt Services, Inc. \$398,376.81. 7. Pospiech Contracting \$417,740.00. 8. Ranger Construction Industries \$481,207.71. 9. DAB Constructors, Inc. \$484,844.44.

The Selection Review Committee met on 1-26-2010 at 10:00am in Room 142 to discuss and review the nine submitted bids. The Selection Review Committee agreed that Boykin Construction, Inc. had the lowest priced bid.

The Selection Committee is requesting approval to award and enter into contract with Boykin Construction, Inc.

This project is scheduled to start construction March 2, 2010 with a 150 day construction completion date of July 30, 2010.

Attached is legal ad information, minutes, contractor checklists, the bid packet from Boykin Construction, Inc., the Notice of Award, the Notice to Proceed, and the contract.

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**NOTICE IS HEREBY GIVEN** that the Sumter County Board of County Commissioners hereby seeks competitive bids for County Road 528. All bids submitted must be in a sealed envelope marked "Sealed Bid for County Road 528 ITB#144-0-2009/AT", and must be received by the Budget & Purchasing Department the County Commissioners Office, 910 North Main Street, Room 201, Bushnell, FL 33513 prior to 10:00 a.m. on January 25, 2010. Bids will be opened in the Sumter County Offices, Room 142, at 10:05 a.m. on January 25, 2010. The bids will be reviewed by staff for completeness and compliance with bid instructions on January 26, 2010, at 10:00 a.m. at the Sumter County Offices, Room 142.

Any bids not received and clocked in by the Budget & Purchasing Department prior to said time will not be opened or considered.

All bidders must be licensed contractors capable of performing the scope of work necessary to satisfactorily complete the project.

All bidders must be prequalified by the Board of County Commissioners prior to bidding. Contact the Budget & Purchasing Department for more information at (352) 569-6067.

Plans and specifications will be available on Demand Star at [www.demandstar.com](http://www.demandstar.com).

There will be a mandatory pre-bid meeting for this project at Sumter County Public Works Offices at 10:00 am on January 7, 2010.

The Sumter County Board of County Commissioners (COUNTY) reserves the right to accept any bid whether it be the lowest bid or not, or to reject all bids and call for new bids.

DATED this 11th Day of December 2009  
SUMTER COUNTY BOARD OF COUNTY COMMISSIONERS

ADVERTISE: 12-11-2009 AND 12-18-2009

**NOTICE IS HEREBY GIVEN** that the Sumter County Board of County Commissioners hereby seeks competitive bids for County Road 528. All bids submitted must be in a sealed envelope marked "Sealed Bid for County Road 528 ITB#144-0-2009/AT", and must be received by the Budget & Purchasing Department the County Commissioners Office, 910 North Main Street, Room 201, Bushnell, FL 33513 prior to 10:00 a.m. on January 25, 2010. Bids will be opened in the Sumter County Offices, Room 142, at 10:05 a.m. on January 25, 2010. The bids will be reviewed by staff for completeness and compliance with bid instructions on January 26, 2010, at 10:00 a.m. at the Sumter County Offices, Room 142.

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DATED this 11th Day of  
December 2009  
SUMTER COUNTY BOARD OF  
COUNTY COMMISSIONERS  
#203020 December 11, 2009  
December 18, 2009

ITB 144-0-2009/AT CR 528 East of CR 526A Mandatory Pre-Bid Meeting held on Thursday, January 07, 2010 at 10:00am in the Public Works Conference Room located at 319 East Anderson Avenue, Bushnell, FL 33513.

Amanda Taylor with the Budget & Purchasing Department stated critical dates as follows:

Last day for questions: 1-20-2010 at 5pm

Bids due: 1-25-2010 at 10am

Bids opened: 1-25-2010 at 10:05am in Room 142 at the Government Offices located at 910 North Main Street, Bushnell, FL 33513

Selection Review Committee Meeting: 1-26-2010 at 10:00am in Room 142

Board of County Commissioners Meeting for approval: 2-9-2010

Amanda stated this meeting was mandatory so everyone needed to be sure they signed in for their representing company. Amanda stated if they were present but did not sign in on the sign-in-sheet their bid would be disqualified.

Amanda stated there would be one week between the Selection meeting and the Board meeting for the contractor to provide all signed documents and return bid information.

Amanda then turned the meeting over to David Springstead, Engineer for the project.

David stated even though this bid was an ITB based off of pricing if the bid information submitted was not complete and in compliance with the requirements stated within the ITB packet, consideration of award would go to the next lowest bidder.

David then stated the following regarding the project:

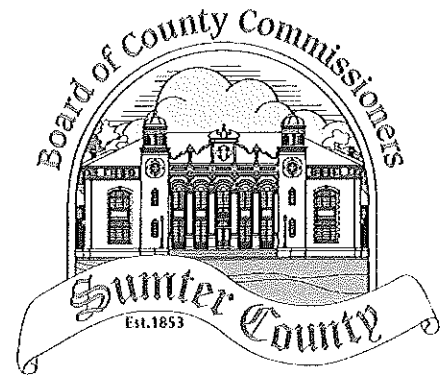
1. The project is approximately ½ mile or 2670 ft. long
2. The project is to be completed within 150 days of Board approval
3. Three (3) project signs are required
4. There is re-construction with the project off of Cr 528 and CR 526A
5. There are drainage issues on the East end related to low lying areas
6. The County is not going by the Asphalt Pricing Index
7. No CAD files will be released prior to award from the BOCC
8. Excess cut, approximately 7000, will be left over from this job. The County will not be involved with this issue. LSCC has expressed interest in wanting the excess, and this deal, if made, will be between the contractor and LSCC
9. Survey control will be completed by the owner
10. Construction staking will be completed by the contractor
11. Material testing will be completed by Central Testing Laboratory, testing will be handled by the county, and there will be a resident inspector from Central Testing Laboratory on site at all times
12. There will be road closures with this project; all residents must have access at all times to their residences and their farms, if applicable

13. Stabilization material must be limerock and cannot be clay
14. All questions, no matter the issue, must come to Amanda Taylor in writing. Do not contact anyone with Springstead or with Public Works until after the contract has been awarded
15. The Bid Schedule on the asphalt will be priced by square yard, not by a ton price. An addendum regarding this issue will be put on Demand Star
16. Plans, specifications, question and answers, and addendums will be posted on Demand Star at [www.demandstar.com](http://www.demandstar.com)
17. Soils information is located in the back of the Specification book

The meeting adjourned at 10:22am.

# Sumter County Public Works

Meeting Sign-in Sheet



Date: 01/07/10

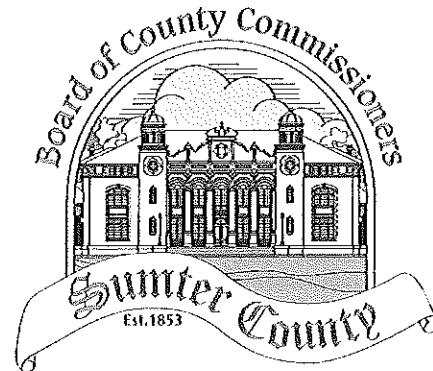
Time and Place: 10:00 A.M. Public Works

Subject: CR 528 Mandatory Pre-bid

## A T T E N D E E S

<u>Name</u>	<u>Affiliation</u>	<u>Email</u>	<u>Phone Number</u>
<u>Bill Stevens</u>	<u>SCPWP</u>	<u>Bill.Stevens@sumtercountyfl.gov</u>	<u>352-793-0240</u>
<u>Michael Warren</u>	<u>Superior Asphalt</u>	<u>Superior@hewittcontracting.com</u>	<u>352-383-2889</u>
<u>Ashton Rainey</u>	<u>Rainey Construction</u>	<u>rfarrington@raineyconstruction.com</u>	<u>(352) 748-0935</u>
<u>ESLIE OKEADINE</u>	<u>SCPW</u>	<u>ESLIE.OKEADINE@sumtercountyfl.gov</u>	<u>352-793-2260</u>
<u>MIKE HEROLD</u>	<u>LANE CONSTR. INC.</u>	<u>mherold@laneconstruct.com</u>	<u>813-777-4510</u>
<u>Aminda Taylor</u>	<u>S.C. BOCE</u>	<u>aminda.taylor@sumtercountyfl.gov</u>	<u>541-6087</u>
<u>LITO DETORRES</u>	<u>PROF. DIRT SVC., INC.</u>	<u>LITO713@COMCAST.NET</u>	<u>(352) 589-7000</u>
<u>Chris O'neil</u>	<u>Boyle Construction</u>	<u>Bob@BoyleConstruction.com</u>	<u>(352) 394-5993</u>
<u>Tim Lusher</u>	<u>Art Walker Const</u>	<u>Tim Lusher@ArtWalkerConstruction.com</u>	<u>(352) 629-1466</u>
<u>Scott O'Neal</u>	<u>C.W. Roberts Contracting, Inc.</u>	<u>soncal@cwrccontracting.com</u>	<u>352-330-2540</u>
<u>SCOTT BROCK</u>	<u>OCALA TRAKTOR</u>	<u>OCALATRAKTOR@yahoo.com</u>	<u>352-732-8585</u>
<u>Michael Blackwell</u>	<u>Central Site Development</u>	<u>michael@centralsitedev.com</u>	<u>(863) 665-6069</u>
<u>Kathryn Barnes</u>	<u>D.A.B. Constructors</u>	<u>Kathrynb@dabcon.com</u>	<u>352-447-5488 x200</u>
<u>Katrina Croft</u>	<u>Croft Contracting Inc</u>	<u>k.croftcontractinginc@earthlink.net</u>	<u>352-860-1202</u>
<u>Rick Azarelli</u>	<u>Precision Paving</u>	<u>RICK@AZZPSD.COM</u>	<u>813-985-9970</u>
<u>CHRISTINA TAYLOR</u>	<u>CFE Corp</u>	<u>STALZZ@ADL.COM</u>	<u>407-834-6115</u>
<u>Jimmy Christian</u>	<u>Barracuda Building Corp</u>	<u>BB@BarracudaBuilding.com</u>	<u>407-814-8644</u>
<u>Steve Skubal</u>	<u>Ranger Construction</u>	<u>estimating_orlando@rangerconstruction.com</u>	<u>402-686-9255</u>
<u>BO Offenhauer</u>	<u>Pospiech Contracting</u>	<u>bo@pospiechcontracting.com</u>	<u>352-726-3940</u>

## Meeting Sign-in Sheet



Date: \_\_\_\_\_

**Time and Place:**

Subject:

## ATTENDEES

[illegible]

ITB 144-0-2010/AT CR 528 East of CR 526A Road Improvement Project Bid Opening Meeting held on Monday, January 25, 2010 at 10:05am in Room 142 at the Government Offices, 910 North Main Street, Bushnell, FL 33513.

Amanda Taylor and Bill Stevens were present to represent staff. Ralph Warnock was present representing Springstead Engineering, the engineer firm for the project.

Amanda Taylor stated the Selection Review Committee would be held on Tuesday, January 26, 2010 at 10:00am in Room 142. Amanda stated the Selection Review Committees recommendation would be taken to the Sumter County Board of County Commissioners on Tuesday, February 9, 2010.

Amanda stated the bids were being opened in no particular order, 4 packets must be submitted, and the acknowledgement of Addendum 1 must be included.

1. Pospiech Contracting, Inc. – 4 packets, addendum 1 not properly acknowledged, price \$417,740.00.
2. CW Roberts, Inc. – 4 packets, addendum 1 acknowledged, price \$378,538.44.
3. Mercon Construction Company – 4 packets, addendum 1 acknowledged, price \$395,905.03.
4. Art Walker Construction, Inc. – 4 packets, addendum 1 acknowledged, price \$339,841.43.
5. Utility Systems Construction, Inc. – 4 packets, addendum 1 acknowledged, price \$357,138.86.
6. DAB Constructors, Inc. – 4 packets, addendum 1 acknowledged, price \$484,844.44.
7. Boykin Construction, Inc. – 4 packets, addendum 1 acknowledged, price \$332,949.18.
8. Ranger Construction Industries, Inc. – 4 packets, addendum 1 acknowledged, price \$481,207.71.
9. Professional Dirt Services, Inc. – 4 packets, addendum 1 acknowledged, price \$398,376.81.

Adjourned at 10:15am.



# \* Bid Opening Meeting

## SIGN - IN SHEET

DATE: 1-25-2010

TIME: 10am Pm 142

BID NAME: ITB 144-0-2010/AT  
CH 528 E of CH 526A

NAME

COMPANY

Imelda Taylor	BOCC, B & P
Ralph Wernock	SEI
Bill Stevens	SCRWD
Jim Lusher	Art Walker Const.
LITO B. DE TORRES	PROF. DIRT SERVICE, INC.
Jody K. Bass	Mercon Construction
Chris O'neil	Boylkin Construction
Marshall Davis	Pospich Contracting
CARL West	USC
Kathy Barnes	DAB Constructors
DON KESLING	DON KESLING
Scott O'Neil	C.W. Roberts Contracting, Inc.

ITB 144-0-2010/AT CR 528 East of CR 526A Road Improvement Project Selection Review  
Committee Meeting held on Tuesday, January 26, 2010 at 10:00am in Room 142 at the  
Government Offices, 910 North Main Street, Bushnell, FL 33513.

Amanda Taylor, Bill Stevens, and Dale Parrett were present representing staff. Ralph Warnock was present representing Springstead Engineering, the engineer firm for this project.

Amanda stated following this meeting a recommendation would be made to the Sumter County Board of County Commissioners on Tuesday, February 9, 2010.

Amanda stated Boykin Construction was the lowest bidder. Ralph stated that the calculation on Line Item #20 was not correct. The price was listed as \$3631.75 but the calculation is really \$3731.75. With this error Boykin is still the lowest bidder. After discussion bid award is made from the bid amount not the contract amount which is \$332,949.18.

Amanda stated Boykin Construction did not include the Certification Page 0003 within their bid. However, after review it was not a required document.

Bill made a motion to recommend award to Boykin Construction for ITB 144-0-2010/AT in the amount of \$332,949.18 provided they submit Certification Page 0003 before the Board meeting and if they would not certify page 0003 recommendation would be to go to the second lowest bidder listed as Art Walker Construction, Inc. Dale seconded the motion and the motion passed unanimously.

The meeting adjourned at 10:08am

# Selection Review Meeting

## SIGN - IN SHEET

DATE: 1-26-2010

TIME: 10am Room 142

BID NAME: IRB 144-0-2010/AT

NAME

COMPANY

Amanda Taylor

BEP, BOCO

Bill Stevens

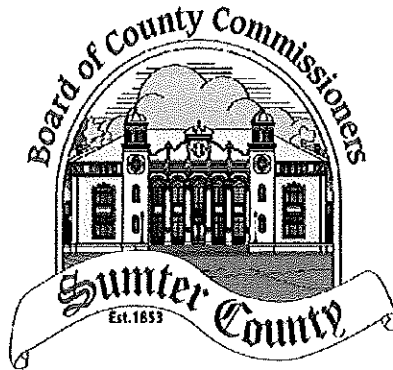
SCPWD

Ralph Warnock

SET

DALE PARRETT

SCPWD



**BOARD OF SUMTER COUNTY COMMISSIONERS**  
**910 NORTH MAIN STREET**  
**BUSHNELL, FLORIDA 33513**  
**PHONE: (352) 793-0200 \* FAX: (352) 793-0207**  
**E-mail: [amanda.taylor@sumtercountyfl.gov](mailto:amanda.taylor@sumtercountyfl.gov)**

**Addendum #1ITB 144-0-2009/AT CR 528 East of CR 526A**

- A. Notice to Contractors: Whenever a conflict appears between this addendum and the initial solicitation, or plans, this addendum shall prevail, and as such shall constitute a binding portion of the contract documents. All provisions of the original specifications shall remain in force, except as specifically modified or changed herein.
- B. Additions, Deletions, and/or Clarifications: This addendum forms a part of the Contract Documents and modified the original Quote Documents as noted below and supersedes all contrary information and requirements. Contractors shall acknowledge receipt of this Addendum.

**Clarification 1: Clarification on road closure and pricing for this project**

**Clarification 2:** Item 1. The Sumter County Board of County Commissioners concurs with the Engineer of Record proposal to allow temporary closure of CR 528 as shown on the "Detour Plan" and the contractor will be allowed to implement the closure.

Item 2. The pay item for asphalt is being paid in square yards instead of tons because Sumter County is not paying the bonus or the asphalt price index as described in the FDOT specifications. All other FDOT specifications pertaining to Superpave asphalt shall be met on this project.

Item 3. Page 89 of the Invitation to Bid for CR 528 East of CR 528A Section 02510 – Asphalt Concrete Paving Part I – General, Section 1.2, A., Item #1 reads Basis of Measurement: Ton, should say "Basis of Measurement: Square Yards".

**Resurfacing CR 528 East of CR 526A***Bid Review: Tuesday, January 26, 2010 @ 10:00AM*Contractor: Professional Dirt Services, Inc.Received timely: prior to 10:00 am on 1/25/2010 ☒ 8:24amAttended Mandatory Pre-Bid Meeting on 1/7/2010 ☒Submitted in sealed envelope addressed properly: ☒

Sumter County Board of County Commissioners  
Budget & Purchasing Department  
910 North Main Street, Room 201  
Bushnell, FL 33513

Sealed envelope plainly marked on outside as: ☒

"Sealed Bid for CR 528  
ITB 144-0-2009/AT

Envelope shall bear on the outside: CUC057021

Bidder's name	<input checked="" type="checkbox"/>
Address	<input checked="" type="checkbox"/>
License No If applicable	<input checked="" type="checkbox"/>
Name of Project	<input checked="" type="checkbox"/>

If forwarded by mail, sealed envelope containing bid must be enclosed in another envelope addressed to: ☐

Sumter County Commissioners  
Budget & Purchasing Department  
910 North Main Street, Room 201  
Bushnell, FL 33513

Certificate page signed 00003 ☒Bid must be on required bid form 00300 ☒

All blank spaces for bid prices must be filled in, in ink or typed:

Bid form fully completed and executed: ☐

Executed bid package which includes:

Bid form	00300	<input checked="" type="checkbox"/>
* Bid bond	00410	<input checked="" type="checkbox"/>
Subcontractors and Suppliers (Name, Town, State)	00430	<input checked="" type="checkbox"/>
Public Entity Crime statement	00481	<input checked="" type="checkbox"/>
Trench Safety Act	00485	<input checked="" type="checkbox"/>

Electronic Version Submitted

IncludedNotice of Receipt of Addendum #1: ☒

(Copy of Addendums to Engineers)

**Bid Review: Tuesday, January 26, 2010 @ 10:00AM**

**Contractor: Pospiech Contracting, Inc.**

Received timely: prior to 10:00 am on 1/25/2010	X	9:39am
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**Attended Mandatory Pre-Bid Meeting on 1/7/2010**

**Submitted in sealed envelope addressed properly:**

**Sealed envelope plainly marked on outside as:**

"Sealed Bid for CR 528

ITB 144-0-2009/AT

**Envelope shall bear on the outside:**

**Bidder's name**

Address

**License No if applicable**

Name of Project

**If forwarded by mail, sealed envelope containing bid must be enclosed in another envelope addressed to:**

**Sumter County Commissioners**

**Budget & Purchasing Department**

910 North Main Street, Room 201

Bushnell, FL 33513

Certificate page signed 00003

**Bid must be on required bid form 00300**

**All blank spaces for bid prices must be filled in, in ink or typed:**

**Bid form fully completed and executed:**

**Executed bid package which includes:**

**Bid form      00300**

\* Bid bond      00410

Subcontractors and Suppliers (Name, Town, State) 00430

Public Entity Crime statement 00481

Trench Safety Act 00485

Electronic Version Submitted

**Notice of Receipt of Addendum #1:**

**(Copy of Addendums to Engineers)**

**Resurfacing CR 528 East of CR 526A***Bid Review: Tuesday, January 26, 2010 @ 10:00AM*Contractor: Ranger ConstructionReceived timely: prior to 10:00 am on 1/25/2010 ☒ 8:54amAttended Mandatory Pre-Bid Meeting on 1/7/2010 ☒

Submitted in sealed envelope addressed properly: ☒  
Sumter County Board of County Commissioners  
Budget & Purchasing Department  
910 North Main Street, Room 201  
Bushnell, FL 33513

Sealed envelope plainly marked on outside as: ☒

"Sealed Bid for CR 528  
ITB 144-0-2009/AT

Envelope shall bear on the outside:

Bidder's name  
Address  
License No if applicable  
Name of Project

☒  
☒  
☒  
☒

If forwarded by mail, sealed envelope containing bid must be  
enclosed in another envelope addressed to:

Sumter County Commissioners

Budget & Purchasing Department  
910 North Main Street, Room 201  
Bushnell, FL 33513

Certificate page signed 00003 ☒Bid must be on required bid form 00300 ☒All blank spaces for bid prices must be filled in, in ink or typed: ☒Bid form fully completed and executed: ☒

Executed bid package which includes:

Bid form 00300 ☒\* Bid bond 00410 ☒Subcontractors and Suppliers (Name, Town, State) 00430 ☒Public Entity Crime statement 00481 ☒Trench Safety Act 00485 ☒

Electronic Version Submitted

not included

Notice of Receipt of Addendum #1: ☒

(Copy of Addendums to Engineers)

**Resurfacing CR 528 East of CR 526A***Bid Review: Tuesday, January 26, 2010 @ 10:00AM*Contractor: Boykin Construction, Inc.Received timely: prior to 10:00 am on 1/25/2010 ☒ 9:15amAttended Mandatory Pre-Bid Meeting on 1/7/2010 ☒Submitted in sealed envelope addressed properly: ☒

Sumter County Board of County Commissioners  
Budget & Purchasing Department  
910 North Main Street, Room 201  
Bushnell, FL 33513

Sealed envelope plainly marked on outside as: ☒

"Sealed Bid for CR 528  
ITB 144-0-2009/AT

Envelope shall bear on the outside:

Bidder's name	<input checked="" type="checkbox"/>
Address	<input checked="" type="checkbox"/>
License No if applicable	<input checked="" type="checkbox"/>
Name of Project	<input checked="" type="checkbox"/>

If forwarded by mail, sealed envelope containing bid must be  
enclosed in another envelope addressed to:

Sumter County Commissioners

Budget & Purchasing Department  
910 North Main Street, Room 201  
Bushnell, FL 33513

Certificate page signed	00003	<input type="checkbox"/>	not included
Bid must be on required bid form	00300	<input checked="" type="checkbox"/>	
All blank spaces for bid prices must be filled in, in ink or typed:		<input checked="" type="checkbox"/>	
Bid form fully completed and executed:		<input checked="" type="checkbox"/>	
Executed bid package which includes:			
Bid form	00300	<input checked="" type="checkbox"/>	
* Bid bond	00410	<input checked="" type="checkbox"/>	
Subcontractors and Suppliers (Name, Town, State)	00430	<input checked="" type="checkbox"/>	
Public Entity Crime statement	00481	<input checked="" type="checkbox"/>	
Trench Safety Act	00485	<input checked="" type="checkbox"/>	
Electronic Version Submitted			included
Notice of Receipt of Addendum #1:		<input checked="" type="checkbox"/>	
(Copy of Addendums to Engineers)			



**Resurfacing CR 528 East of CR 526A***Bid Review: Tuesday, January 26, 2010 @ 10:00AM*Contractor: DAB Constructors, Inc.Received timely: prior to 10:00 am on 1/25/2010 ☒ 9:21amAttended Mandatory Pre-Bid Meeting on 1/7/2010 ☒Submitted in sealed envelope addressed properly: ☒Sumter County Board of County Commissioners  
Budget & Purchasing Department  
910 North Main Street, Room 201  
Bushnell, FL 33513Sealed envelope plainly marked on outside as: ☒"Sealed Bid for CR 528  
ITB 144-0-2009/AT

Envelope shall bear on the outside:

Bidder's name  
Address  
License No if applicable  
Name of Project☒  
☒  
☒  
☐

CUC56696

If forwarded by mail, sealed envelope containing bid must be  
enclosed in another envelope addressed to:

Sumter County Commissioners

Budget & Purchasing Department  
910 North Main Street, Room 201  
Bushnell, FL 33513Certificate page signed 00003 ☒Bid must be on required bid form 00300 ☒All blank spaces for bid prices must be filled in, in ink or typed: ☒Bid form fully completed and executed: ☒

Executed bid package which includes:

Bid form 00300 ☒\* Bid bond 00410 ☒Subcontractors and Suppliers (Name, Town, State) 00430 ☒Public Entity Crime statement 00481 ☒Trench Safety Act 00485 ☒

Electronic Version Submitted

Included

Notice of Receipt of Addendum #1: ☒

(Copy of Addendums to Engineers)

**Resurfacing CR 528 East of CR 526A***Bid Review: Tuesday, January 26, 2010 @ 10:00AM*Contractor: Utility Systems ConstructionReceived timely: prior to 10:00 am on 1/25/2010 ☒ 9:35amAttended Mandatory Pre-Bid Meeting on 1/7/2010 ☒Submitted in sealed envelope addressed properly: ☒

Sumter County Board of County Commissioners  
Budget & Purchasing Department  
910 North Main Street, Room 201  
Bushnell, FL 33513

Sealed envelope plainly marked on outside as: ☒

"Sealed Bid for CR 528  
ITB 144-0-2009/AT

Envelope shall bear on the outside:

Bidder's name	<input checked="" type="checkbox"/>
Address	<input checked="" type="checkbox"/>
License No if applicable	<input type="checkbox"/>
Name of Project	<input checked="" type="checkbox"/>

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Budget & Purchasing Department  
910 North Main Street, Room 201  
Bushnell, FL 33513

Certificate page signed 00003 ☐ not includedBid must be on required bid form 00300 ☒All blank spaces for bid prices must be filled in, in ink or typed: ☒Bid form fully completed and executed: ☒

Executed bid package which includes:

Bid form	00300	<input checked="" type="checkbox"/>
* Bid bond	00410	<input checked="" type="checkbox"/>
Subcontractors and Suppliers (Name, Town, State)	00430	<input checked="" type="checkbox"/>
Public Entity Crime statement	00481	<input checked="" type="checkbox"/>
Trench Safety Act	00485	<input checked="" type="checkbox"/>

Electronic Version Submitted ☐ not includedNotice of Receipt of Addendum #1: ☒

**Resurfacing CR 528 East of CR 526A***Bid Review: Tuesday, January 26, 2010 @ 10:00AM*Contractor: Art Walker Construction, Inc.Received timely: prior to 10:00 am on 1/25/2010 ☒ 9:36amAttended Mandatory Pre-Bid Meeting on 1/7/2010 ☒Submitted in sealed envelope addressed properly: ☒

Sumter County Board of County Commissioners  
Budget & Purchasing Department  
910 North Main Street, Room 201  
Bushnell, FL 33513

Sealed envelope plainly marked on outside as: ☒

"Sealed Bid for CR 528  
ITB 144-0-2009/AT

Envelope shall bear on the outside:

Bidder's name  
Address  
License No if applicable  
Name of Project

☒  
☒  
☒  
☒

If forwarded by mail, sealed envelope containing bid must be enclosed in another envelope addressed to:

Sumter County Commissioners

Budget & Purchasing Department  
910 North Main Street, Room 201  
Bushnell, FL 33513

Certificate page signed 00003 ☒Bid must be on required bid form 00300 ☒All blank spaces for bid prices must be filled in, in Ink or typed: ☒Bid form fully completed and executed: ☒

Executed bid package which includes:

Bid form 00300 ☒\* Bid bond 00410 ☒Subcontractors and Suppliers (Name, Town, State) 00430 ☒Public Entity Crime statement 00481 ☒Trench Safety Act 00485 ☒

Electronic Version Submitted

not included

Notice of Receipt of Addendum #1: ☒

(Copy of Addendums to Engineers)

**Resurfacing CR 528 East of CR 526A***Bid Review: Tuesday, January 26, 2010 @ 10:00AM*Contractor: Mercon Consturction CompanyReceived timely: prior to 10:00 am on 1/25/2010 ☒ 9:37amAttended Mandatory Pre-Bid Meeting on 1/7/2010 ☒Submitted in sealed envelope addressed properly: ☒

Sumter County Board of County Commissioners  
Budget & Purchasing Department  
910 North Main Street, Room 201  
Bushnell, FL 33513

Sealed envelope plainly marked on outside as: ☒

"Sealed Bid for CR 528  
ITB 144-0-2009/AT

**Envelope shall bear on the outside:**

Bidder's name	<input checked="" type="checkbox"/>
Address	<input checked="" type="checkbox"/>
License No if applicable	<input type="checkbox"/>
Name of Project	<input checked="" type="checkbox"/>

If forwarded by mail, sealed envelope containing bid must be enclosed in another envelope addressed to: ☐

Sumter County Commissioners  
Budget & Purchasing Department  
910 North Main Street, Room 201  
Bushnell, FL 33513

Certificate page signed 00003 ☒Bid must be on required bid form 00300 ☒All blank spaces for bid prices must be filled in, in ink or typed: ☒Bid form fully completed and executed: ☒**Executed bid package which includes:**

Bid form	00300	<input checked="" type="checkbox"/>
* Bid bond	00410	<input checked="" type="checkbox"/>
Subcontractors and Suppliers (Name, Town, State)	00430	<input checked="" type="checkbox"/>
Public Entity Crime statement	00481	<input checked="" type="checkbox"/>
Trench Safety Act	00485	<input checked="" type="checkbox"/>

Electronic Version Submitted

Included

Notice of Receipt of Addendum #1: ☒

(Copy of Addendums to Engineers)

**Resurfacing CR 528 East of CR 526A***Bid Review: Tuesday, January 26, 2010 @ 10:00AM*Contractor: CW Roberts Contracting, Inc.Received timely: prior to 10:00 am on 1/25/2010 ☒ 9:43amAttended Mandatory Pre-Bid Meeting on 1/7/2010 ☒Submitted in sealed envelope addressed properly: ☒

Sumter County Board of County Commissioners  
Budget & Purchasing Department  
910 North Main Street, Room 201  
Bushnell, FL 33513

Sealed envelope plainly marked on outside as: ☒

"Sealed Bid for CR 528  
ITB 144-0-2009/AT

**Envelope shall bear on the outside:**

Bidder's name	<input checked="" type="checkbox"/>
Address	<input checked="" type="checkbox"/>
License No if applicable	<input type="checkbox"/>
Name of Project	<input checked="" type="checkbox"/>

If forwarded by mail, sealed envelope containing bid must be enclosed in another envelope addressed to: ☐

Sumter County Commissioners  
Budget & Purchasing Department  
910 North Main Street, Room 201  
Bushnell, FL 33513

Certificate page signed 00003 ☒Bid must be on required bid form 00300 ☒All blank spaces for bid prices must be filled in, in ink or typed: ☒Bid form fully completed and executed: ☒**Executed bid package which includes:**

Bid form	00300	<input checked="" type="checkbox"/>
* Bid bond	00410	<input checked="" type="checkbox"/>
Subcontractors and Suppliers (Name, Town, State)	00430	<input checked="" type="checkbox"/>
Public Entity Crime statement	00481	<input checked="" type="checkbox"/>
Trench Safety Act	00485	<input checked="" type="checkbox"/>

Electronic Version Submitted no not included

Notice of Receipt of Addendum #1: ☒

Document 00003 - Certification Page

CONTRACT DOCUMENTS FOR  
CONSTRUCTION OF COUNTY ROAD 528

I certify that the contract documents contained in this booklet are the original contract documents and I have read and understood the conditions stated herein.

I further certify that I have received a copy of these contract documents and any additional information referenced to be a part thereof.

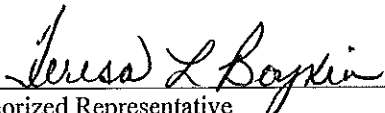
I further certify that I was afforded the opportunity to ask my question regarding the contract documents and engineering plans at the time of the pre-bid conference.

SUMTER COUNTY BOARD OF COUNTY COMMISSIONERS

---

Authorized Representative

CONTRACTOR

  
Authorized Representative

ENGINEER

---

Ralph W. Warnock, Jr.

Document 00490 - Notice of Award

TO:

PROJECT DESCRIPTION: Construction of County Road 528 ITB# 144-0-2010/AT

The COUNTY has considered the BID submitted by you for the above described WORK in response to its Advertisement for Bids dated 12-11-2009, and Information for Bidders.

You are hereby notified that your BID has been accepted for items in the amount of Three hundred thirty-two thousand, nine hundred forty-nine dollars and 18/100 Dollars (\$ 332,949.18).

You are required by the Information for Bidders to execute the Agreement and furnish the required CONTRACTOR'S Performance BOND, Payment BOND, and certificates of insurance within fourteen (14) calendar days from the date of this Notice.

If you fail to execute said Agreement and to furnish said BONDS within 14 days from the date of this Notice, said COUNTY will be entitled to consider all your rights arising out of the COUNTY'S acceptance of your BID as abandoned and as a forfeiture of your BID BOND. The COUNTY will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of this NOTICE OF AWARD to the COUNTY.

Dated this \_\_\_ day of \_\_\_\_\_, 20\_\_.

Sumter County Board of County Commissioners

By: \_\_\_\_\_

Chairman

Title

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE OF AWARD is hereby acknowledged.

CONTRACTOR

this the 26 day of Jan, 2010.

Teresa L Boykin  
By: Teresa L Boykin VP  
Company: Boykin Const Inc

Document 00500 – Agreement

THIS AGREEMENT, made this 9<sup>th</sup> day of Feb. 2008 by and between the Sumter County Board of County Commissioners, hereinafter called the "OWNER", and Boykin Construction, Inc., doing business as a corporation, hereinafter called "CONTRACTOR".

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned:

ARTICLE 1. The CONTRACTOR will commence and complete the construction of County Road 528.

ARTICLE 2. The CONTRACTOR will furnish all of the material, supplies, tools, equipment, labor, and other services necessary for the construction and completion of the PROJECT described herein.

ARTICLE 3. The CONTRACTOR will commence the work required by the CONTRACT DOCUMENTS within seven (7) calendar days after the date of the NOTICE TO PROCEED and will complete the same within 150 calendar days unless the period for completion is extended otherwise by the CONTRACT DOCUMENTS. The CONTRACTOR further agrees to pay as liquidated damages the sum of One Thousand Four Hundred Twenty-Three and 00/100 Dollars (\$1,423.00) per calendar day beyond the date of completion.

ARTICLE 4. The CONTRACTOR agrees to perform all of the WORK described in the CONTRACT DOCUMENTS and comply with the terms therein for the sum of Three hundred thirty-two thousand, nine hundred forty-nine dollars and 18 /100 DOLLARS (\$332,949.18)

ARTICLE 5. The term "CONTRACT DOCUMENTS" means and includes the following:

List of Drawings	Notice to Proceed
Advertisement for Bids	Work Change Directive
Information for Bidders	Change Order
Bid Form	Performance Bond
Bid Bond	Payment Bond
Bid Schedule	Application for Payment
Major Subcontractors and Suppliers	Final Release of Lien
Public Entity Crimes	Certificate of Insurance
Trench Safety Act	Certificate of Substantial Completion
Notice of Award	Standard General Conditions
Agreement	Supplemental Conditions
	Technical Specifications



DRAWINGS: As prepared by Springstead Engineering, Inc. (See Document 00004 - List of Drawings)

ARTICLE 6. The OWNER will pay to the CONTRACTOR, in the manner and at such times as set forth in the General Conditions, such amounts as required by the CONTRACT DOCUMENTS less a 10% retainage or payable upon final inspection. All payments by the OWNER shall be made in lawful monies of the United States to: Board of Sumner County Commissioners.

ARTICLE 7. CONTRACTOR'S REPRESENTATIONS. To induce OWNER to enter into this Agreement CONTRACTOR makes the following representation.

7.1 CONTRACTOR has examined and carefully studied the Contract Documents (including the Addenda listed in Article 5) and the other related data identified in the Bidding Documents including "technical data".

7.2. CONTRACTOR has visited the site and become familiar with and is satisfied as to the general, local and site conditions that may affect cost, progress, performance or furnishing of the Work.

7.3. CONTRACTOR is familiar with and is satisfied as to all federal, state and local Laws and Regulations that may affect cost, progress, performance and furnishing of the Work.

7.4 CONTRACTOR has carefully studied all reports of explorations and tests of subsurface conditions at or contiguous to the site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the site (except Underground Facilities) which have been identified in the Supplementary Conditions as provided in paragraph 4.02 of the General Conditions. CONTRACTOR accepts the determination set forth in paragraph SC 4.02 of the Supplementary Conditions of the extent of "technical data" contained in such reports and drawings upon which CONTRACTOR is entitled to rely as provided in paragraph 4.02 of the General Conditions. CONTRACTOR acknowledges that such reports and drawings are not Contract Documents and may not be complete for CONTRACTOR's purposes. CONTRACTOR acknowledges that OWNER and ENGINEER do not assume responsibility for the accuracy or completeness of information and data shown or indicated in the Contract Documents with respect to Underground Facilities at or contiguous to the site. CONTRACTOR has obtained and carefully studied (or assumes responsibility for having done so) all such additional supplementary examinations, investigations, explorations, tests, studies and data concerning conditions (surface, subsurface and Underground Facilities) at or contiguous to the site or otherwise which may affect cost, progress, performance or furnishing of Work or which related to any aspect of the means, methods, techniques, sequences and procedures of construction to be employed by CONTRACTOR and safety precautions and programs incident thereto. CONTRACTOR does not consider that any additional examinations, investigations, explorations, tests, studies or data are necessary for the performance and furnishing of the Work at the Contract Price, within the Contract Times and in accordance with the other terms and conditions of the Contract Documents.

7.5. CONTRACTOR is aware of the general nature of work to be performed by OWNER and others at the site that relates to the Work as indicated in the Contract Documents.

7.6. CONTRACTOR has correlated the information known to CONTRACTOR, information and observations obtained from visits to the site, reports and drawings identified in the Contract Documents and all additional examinations, investigations, explorations, tests, studies and data with the Contract Documents.

7.7. CONTRACTOR has given ENGINEER written notice of all conflicts, errors, ambiguities or discrepancies that CONTRACTOR has discovered in the Contract Documents and the written resolution thereof by ENGINEER is acceptable to CONTRACTOR, and the Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.

7.8. Conflicts within the contract documents shall be brought to the attention of the ENGINEER and resolution shall be at the discretion of and at no cost to the OWNER.

**ARTICLE 8.** This Agreement shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement in four (4) copies, each of which shall be deemed an original on the date first written above.

SUMTER COUNTY BOARD OF COUNTY COMMISSIONERS

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

(SEAL)

ATTEST:

\_\_\_\_\_  
Name: \_\_\_\_\_

(Please Type)

Title: \_\_\_\_\_

CONTRACTOR:

By: Teresa L Boykin

Name: Teresa L Boykin

Title: 2VP

(SEAL)

ATTEST:

Bobby Simmons  
Name: BOBBY SIMMONS

(Please Type)

Title: Gen. Manager

Document 00510 - Notice to Proceed

Date: February 9, 2010

Project: COUNTY ROAD 528 ITB# 144-O-2009/AT

You are hereby notified to commence WORK in accordance with the Agreement dated 2-9-2010  
on or before 3-2-2010, and you are to complete the WORK by 7-30-2010.

OWNER: SUMTER COUNTY BOARD OF COUNTY COMMISSIONERS

By: \_\_\_\_\_  
Chairman

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE TO PROCEED

is hereby acknowledged by:

CONTRACTOR:

this the 26 day  
of Jan, 2010

By: James L. Boyki  
Authorized Representative

Title: 2VP

Document 00300 - Bid Form

Made by: Boykin Construction, Inc.

Address: 116 W. Center St.  
P.O. Box 38  
Minnieola, FL 34755

TO:

---

SUMTER COUNTY BOARD OF COUNTY COMMISSIONERS  
910 N. MAIN STREET  
BUSHNELL, FLORIDA 33513  
(352) 793-0200

---

The undersigned Bidder has personally (or through its designated agent, attesting to this bid) carefully examined the plans and specifications, the "General Conditions" of the Contract, and all other related Contract Documents; has made a thorough physical inspection of the site of the proposed work, has given the Engineer written notice of all conflicts, errors, ambiguities or discrepancies that the Bidder has discovered in the contract documents or by site investigation, and by submission of this written bid is attesting to compliance and is satisfied with the conditions under which the Contract is performed.

Therefore, Bidder agrees to furnish all the labor, materials, and services required by the Contract Documents for the construction of project for the sum of:

three hundred thirty-two thousand  
nine hundred forty-nine and 18/100 — Dollars (Base Bid)

(\$ 332,949.18 ).

If the written notice of the acceptance of this bid is mailed, or delivered, to the undersigned within sixty (60) days after the date of opening of the bid, the undersigned agrees to (within fourteen (14) days of receipt of such notice) execute and deliver a contract in the form of an Agreement in accordance with the specifications and bid as accepted.

The undersigned further agrees to commence work, with an adequate force and equipment, within fourteen (14) consecutive calendar days after being notified in writing by the Owner to do so; and to complete the work within One Hundred Fifty (150) calendar days. If undersigned fails to complete the work within the allowed time, liquidated damages in the sum of One Thousand Four Hundred Twenty-Three and 00/100 Dollars (\$1,423.00) per calendar day for the time used for the completion of the work in excess of that allowed time, will be deducted from the Contract Price. If such amount exceeds the balance owed the undersigned, the undersigned agrees to pay such excess amount until the work is completed and/or accepted.

This bid may be withdrawn at any time prior to the scheduled time of opening of the bids, or any authorized postponement thereof.

### ADDENDUM RECEIPT

The receipt of the following addenda to the specifications is acknowledged:

Addendum No. <u>1</u> Date <u>1-13-10</u>	Addendum No. _____ Date _____
Addendum No. _____ Date _____	Addendum No. _____ Date _____
Addendum No. _____ Date _____	Addendum No. _____ Date _____
Addendum No. _____ Date _____	Addendum No. _____ Date _____
Addendum No. _____ Date _____	Addendum No. _____ Date _____

The undersigned (is) (are) the only interested (party) (parties) in this proposed contract, except that if others are interested, their signatures are also attached hereto as principals, and they also agree to all conditions of these contract documents.

It is declared that this proposal is made in good faith without connection with any other proposals for this work.

Respectfully submitted

ATTEST:

Boykin Construction, Inc.  
CONTRACTOR

Jeff Boykin  
(Person who Examined Documents  
& Inspected the Project Site)

BY: [Signature]

DATE: 1-25-10  
(Seal if Bid is by a Corporation)

For a bid to be considered complete, the bid package is required to contain:

1. Executed Bid Form (Section 00300)
2. Executed Bid Bond (Section 00410)
3. Executed List of Major Subcontractors and Suppliers (Section 00430)
4. Executed Public Entity Crimes Statement (Section 00481)
5. Executed Trench Safety Act (Section 00485)

## Document 00350 - Bid Schedule

	<u>Description</u>	<u>QTY</u>	<u>UNIT</u>	<u>UNIT COST</u>	<u>TOTAL COST</u>
1	Mobilization (Not to Exceed 10% of Total Contract)	1	LS	\$ 11,840.00	\$ 11,840.00
2	Maintenance of Traffic (Construction signing according to FDOT Specifications and Design Standards)	1	LS	\$ 600.00	\$ 600.00
3	Clearing & Grubbing	1	LS	\$ 6,800.00	\$ 6,800.00
4	Grading (Includes rough & finish grading necessary excavation & fill & related items to construct to typical sections and cross sections "includes WRA B")	1	LS	\$ 47,100.00	\$ 47,100.00
5	Removal of Concrete, asphalt, limerock, pipe and other materials necessary to construct project.	1	LS	\$ 6,143.77	\$ 6,143.77
6	<u>Road</u> 1 1/2" SP-9.5 Superpave Level "C" Fine Graded Asphalt Structural Course (1 lift)	8477.71	SY	\$ 7.10	\$ 60,191.74
7	6 1/2" Limerock LBR 100 Compacted to 98% Modified Proctor	8,780.91	SY	\$ 5.00	\$ 43,904.55
8	12" Limerock Stabilized Subgrade LBR 40, Compacted to 98% Modified Proctor	9,084.04	SY	\$ 1.50	\$ 13,626.06
9	6" Limerock Stabilized Shoulder LBR 30	4,675.75	SY	\$ 1.50	\$ 7,013.63
10	<u>FDOT Right-of-Way</u> 1 1/2" FC 12.5 Superpave Level "C" Fine Graded Asphalt Friction Course (1 Lift) (Roadway)	319.23	SY	\$ 12.50	\$ 3,990.38
11	2" SP-12.5 Superpave Level "C" Fine Graded Asphalt Structural Course (1 Lift) Roadway	319.23	SY	\$ 13.50	\$ 4,309.61
12	1 1/2" FC 12.5 Superpave Level "C" Fine Graded Asphalt Friction Course (1 Lift) (Paved Shoulders)	67	SY	\$ 11.50	\$ 770.50
13	10" Limerock, LBR 100, Compacted to 98% Modified Proctor	327.91	SY	\$ 7.65	\$ 2,508.51

14	5" Limerock LBR 100, Compacted to 98% Modified Proctor (Paved Shoulder)	<u>66.33</u>	SY	\$ <u>4.40</u>	\$ <u>291.85</u>
15	12" Limerock Stabilized Subgrade, LBR 40 Compacted to 98% Modified Proctor (Roadway and Paved Shoulder)	<u>402.08</u>	SY	\$ <u>1.50</u>	\$ <u>603.12</u>
16	6" Limerock Stabilized Shoulder, LBR 30	<u>61.41</u>	SY	\$ <u>1.50</u>	\$ <u>92.12</u>
<b><u>Driveways</u></b>					
17	1" SP - 9.5 Superpave, Level "C" Fine Graded Asphalt Surface Course	<u>1129.65</u>	SY	\$ <u>6.50</u>	\$ <u>7,342.73</u>
18	5" Limerock, LBR 100, Compacted to 98% Modified Proctor	<u>1,166.45</u>	SY	\$ <u>4.40</u>	\$ <u>5,132.38</u>
<b><u>Drainage</u></b>					
19	14" x 23" Elliptical Concrete Pipe	<u>370</u>	LF	\$ <u>23.75</u>	\$ <u>8,787.50</u>
20	18" RCP	<u>199</u>	LF	\$ <u>18.75</u>	\$ <u>3,631.75</u>
21	36" RCP	<u>78</u>	LF	\$ <u>50.00</u>	\$ <u>3,900.00</u>
22	14" x 23" Side Drain Mitered End Section	<u>14</u>	EA	\$ <u>340.00</u>	\$ <u>4,760.00</u>
23	14" x 23" Cross Drain Mitered End Section	<u>1</u>	EA	\$ <u>340.00</u>	\$ <u>340.00</u>
24	18" RCP Cross Drain MES	<u>2</u>	EA	\$ <u>385.00</u>	\$ <u>770.00</u>
25	18" RCP Side Drain Mitered End Section	<u>10</u>	EA	\$ <u>385.00</u>	\$ <u>3,850.00</u>
26	Type "C" Ditch Bottom Inlet	<u>5</u>	EA	\$ <u>900.00</u>	\$ <u>4,500.00</u>
27	Type "D" Ditch Bottom Inlet	<u>2</u>	EA	\$ <u>1,370.00</u>	\$ <u>2,740.00</u>
28	Earthen Ditch Block with Concrete Core	<u>16</u>	EA	\$ <u>270.00</u>	\$ <u>4,320.00</u>
29	Silt Fence	<u>2,066.28</u>	LF	\$ <u>1.25</u>	\$ <u>2,582.85</u>
30	6" Thick Concrete Slope Protection (Station 42+00.00 Left)	<u>39.92</u>	SY	\$ <u>27.10</u>	\$ <u>1,081.83</u>
31	Seed and Mulch	<u>1564.89</u>	SY	\$ <u>0.50</u>	\$ <u>782.45</u>
32	Sod	<u>22,436.10</u>	SY	\$ <u>1.55</u>	\$ <u>34,775.96</u>
33	Concrete Energy Dissipater (WRA B)	<u>2</u>	EA	\$ <u>575.00</u>	\$ <u>1,150.00</u>



<u>Pavement Marking</u>					
34	6" Thermoplastic Double (2 Lines) Solid Yellow Lines (Centerline)	2,942.51	LF	\$ 1.31	\$ 3,854.69
35	6" Thermoplastic Solid White Edge Line	5,200.37	LF	\$ 0.66	\$ 3,432.24
36	18" White (20' Center to Center Spacing) Diagonals	107.29	LF	\$ 1.96	\$ 210.29
37	18" Yellow (30' Center to Center Spacing) Diagonals	51.01	LF	\$ 1.96	\$ 99.98
38	6" 2' Skip 4' Gap Thermoplastic White (Gross Length)	50.35	LF	\$ 0.68	\$ 34.24
39	Thermoplastic Directional Arrows	9	EA	\$ 55.12	\$ 496.08
40	Thermoplastic Dual Directional Arrows	3	EA	\$ 110.24	\$ 330.72
41	24" Wide Thermoplastic White Stop Bar	104.66	LF	\$ 4.45	\$ 465.74
42	RPM (per F.D.O.T. Index No. 17352)	187	EA	\$ 4.08	\$ 762.96
43	Temporary Paint Striping & RPM's to FDOT Specs.	1	LS	\$ 3,710.00	\$ 3,710.00
<u>Signage</u>					
44	W1-7 Sign (36" x 18") with Post	1	EA	\$ 206.70	\$ 206.70
45	W1-6L Sign (36" x 18") with Post	1	EA	\$ 206.70	\$ 206.70
46	OM1-1 Reflector (Yellow) with Post	7	EA	\$ 132.50	\$ 927.50
47	W1-1L and W13-1 with Post	1	EA	\$ 249.10	\$ 249.10
48	W3-1 Stop Ahead Sign (30" x 30") with Post	3	EA	\$ 174.90	\$ 524.70
49	R2-1 Speed Limit (30" x 30") with Post	2	EA	\$ 185.50	\$ 371.00
50	R1-1 Stop Sign (30" x 30") with Post	4	EA	\$ 185.50	\$ 742.00
51	W1-1R and W13-1 with Post	1	EA	\$ 249.10	\$ 249.10
<u>Fence</u>					
52	6' High Chain Link Fence	957.44	FT	\$ 10.07	\$ 9,641.42
53	12' Long Chain Link Gates 6' high with hardware	4	EA	\$ 318.00	\$ 1,272.00

54	Brace Post Assembly in existing Barbed Wire Fence. Install according to (inset A & B) and Detail on Sheet 29 of 34	<u>2</u>	EA	\$ <u>159.00</u>	\$ <u>318.00</u>
55	3 Board Fence includes post and galvanized nails	<u>56.19</u>	FT	\$ <u>7.42</u>	\$ <u>416.93</u>
56	10' Long 3 Board Gates with hardware	<u>2</u>	EA	\$ <u>121.90</u>	\$ <u>243.80</u>
<b><u>Miscellaneous</u></b>					
57	Project Signs	<u>3</u>	EA	\$ <u>500.00</u>	\$ <u>1,500.00</u>
58	Detour (Signs, Barricades, VMS, etc. to FDOT spec)	<u>1</u>	LS	\$ <u>2,200.00</u>	\$ <u>2,200.00</u>
59	Mowing entire project (1 time)	<u>1</u>	LS	\$ <u>250.00</u>	\$ <u>250.00</u>
TOTAL BID					\$ <u>332,949.18</u>

Document 00410 - Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned, BOYKIN CONSTRUCTION, INC. as Principal, and LIBERTY MUTUAL INSURANCE COMPANY as Surety, are hereby held and firmly bound unto SUMTER COUNTY BOARD OF COUNTY COMMISSIONERS as COUNTY in the penal sum of FIVE THOUSAND (\$5,000.00) for the payment of which, well and truly to be made, we hereby jointly and severally bind ourselves, successors and assigns. Signed, this 25TH day of JANUARY 20 10 The Condition of the above obligation is such that whereas the Principal has submitted to SUMTER COUNTY BOARD OF COUNTY COMMISSIONERS a certain BID, attached hereto and hereby made a part hereof to enter into a contract in writing, for County Road 528.


NOW THEREFORE, (a) If said Bid shall be rejected, or (b) If said BID shall be accepted and the Principal shall execute and deliver a contract in the Form of Contract attached hereto (properly completed in accordance with said BID) and shall furnish a BOND for faithful performance of said contract, and for the payment of all persons performing labor, furnishing materials in connection therewith, and shall in all other respects perform the agreement created by the acceptance of said BID, then this obligation shall be void, otherwise the same shall remain in force and effect; it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event, exceed the penal amount of this obligation as herein stated.

The Surety, for value received, hereby stipulates and agrees that the obligations of said Surety and its BOND shall be in no way impaired or affected by an extension of the time within which the COUNTY may accept such BID; and said Surety does hereby waive notice of any such extension.

IN WITNESS WHEREOF, the Principal and the Surety have hereunto set their hands and seals, and such of them as are corporation have caused their corporate seals to be hereto affixed and these presents to be signed by their proper officers, the day and year first set forth above.

BOYKIN CONSTRUCTION, INC. (L.S.)  
Principal

LIBERTY MUTUAL INSURANCE COMPANY  
Surety

By:   
BRETT ROSENHAUS, ATTORNEY IN FACT

**IMPORTANT:**

Surety Companies executing BONDS must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in the state where the project is located.

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

LIBERTY MUTUAL INSURANCE COMPANY  
BOSTON, MASSACHUSETTS  
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS: That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint

**BRETT ROSENHAUS, JASON KATZ, ALL OF THE CITY OF LAKE WORTH, STATE OF FLORIDA**.....

, each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations in the penal sum not exceeding **FIFTY MILLION AND 00/100\*\*\*\*\* DOLLARS (\$ 50,000,000.00\*\*\*\*\*)** each, and the

execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company in their own proper persons.

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article XIII, Section 5 of the By-Laws, Garnet W. Elliott, Assistant Secretary of Liberty Mutual Insurance Company, is hereby authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this 31st day of March, 2009.

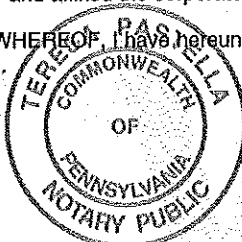
LIBERTY MUTUAL INSURANCE COMPANY

By Garnet W. Elliott  
Garnet W. Elliott, Assistant Secretary

COMMONWEALTH OF PENNSYLVANIA ss  
COUNTY OF MONTGOMERY

On this 31st day of March, 2009, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Teresa Pastella, Notary Public  
Plymouth Twp., Montgomery County  
My Commission Expires March 28, 2013  
Member, Pennsylvania Association of Notaries

By Teresa Pastella  
Teresa Pastella, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XIII, Section 5 of the By-laws of Liberty Mutual Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of Liberty Mutual Insurance Company at a meeting duly called and held on the 12th day of March, 1980.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this 25th day of January, 2010.



By David M. Carey  
David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

**Document 00430 - Major Subcontractors and Suppliers\***  
(Names and Addresses)

1. Stabilization Dixie Lime & Stone: Hwy 470, Sumterville, FL 33585
2. Limerock Base Dixie Lime & Stone: Hwy 470, Sumterville, FL 33585
3. Asphalt Middlesex Corporation: 10801 Cosmonaut Blvd, Orlando, 32824
4. Concrete Work In House
5. Pavement Striping & Markings Angco Striping: 5600 Carder Road, Orlando, FL 32810
6. Construction Signing In House
7. Sod Sumter Sod Farms, LLC: PO Box 691, Center Hill, FL 33514
8. Traffic Control In House
9. Storm Drains & WRA's Del Zotto 4405 W. Hwy 40, Ocala, FL 32750 Florida Concrete Pipe 25750 CR 561, Astutula, FL
10. Fencing T.L. Fencing:
11. Earthwork In House
12. Roadway Signs Angco Striping: 5600 Carder Road, Orlando, FL 32810

CONTRACTOR Boykin Construction, Inc.  
 BY: Jeff Boykin  
 TITLE: Vice President  
 DATE: 1-25-10

\*Must be submitted with BID

Document 00481 - Public Entity Crimes

THIS FORM MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICER AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted with Bid, Proposal or Contract  
No. ITB # 144-D-2009/AT
2. This sworn statement is submitted by Boykin Construction, Inc.  
(Name of entity submitting sworn statement)  
whose business address is 116 W. Center St., Minneola, FL 34715  
and (if applicable) its Federal Employer Identification Number (FEIN), 59-3612170.  
(If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement: \_\_\_\_\_.)
3. My name is Jeff Boykin and  
(Please print name of individual signing)  
my relationship to the entity named above is Vice President
4. I understand that a "public entity crime" as defined in Paragraph 287.133(1)(g), Florida Statutes means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or with the United States, including, but not limited to, any bid or contract for goods or services to be provided to any public entity or any agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.
5. I understand that "convicted" or "conviction" as defined in Paragraph 287.133(1)(b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.
6. I understand that an "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes, means:
  1. A predecessor or successor of a person convicted of a public entity crime: or
  2. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

7. I understand that a "person" as defined in Paragraph 287.133(1)(e), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

8. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. [Please indicate which statement applies].

☒ Neither the entity submitting this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, nor any affiliate of the entity have been charged with and convicted of a public entity crime subsequent to July 1, 1989.

☐ The entity submitting this sworn statement, or one or more of the officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989, AND [Please indicate which additional statement applies.]

☐ There has been a proceeding concerning the conviction before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer did not place the person or affiliate on the convicted vendor list. [Please attach a copy of the final order.]

☐ The person or affiliate was placed on the convicted vendor list. There has been a subsequent proceeding before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer determined that it was in the public interest to remove the person or affiliate from the convicted vendor list. [Please attach a copy of the final order.]


☐ The person or affiliate has not been placed on the convicted vendor list. [Please describe any action taken by or pending with the Department of General Services.]

  
[signature]

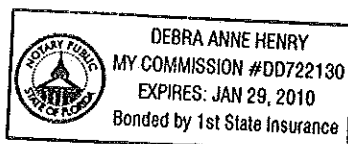
Date: 1-25-10  
STATE OF FLORIDA  
COUNTY OF SUMTER

PERSONALLY APPEARED BEFORE ME, the undersigned authority,

Jeff S. Baykin who, after first being sworn by me, affixed his/her signature in the space provided above on this 25 day of Jan, 2010

  
NOTARY PUBLIC  
My commission expires: Jan 29, 2010

(b:\Public)



Document 00481 - Public Entity Crimes

**\*Document 00485 - Trench Safety Statement**

Bidder acknowledges that included in the various items of the proposal and in the Total Bid Price are costs for complying with the Trench Safety Act, F.S. 553 - Part VI. The bidder further identifies the cost of compliance with the applicable trench safety standards as follows:

Trench Safety Measure (Description)(LF, SF)	Units of Measure	Unit Quantity	Unit Cost	Extended Cost
A.		N/A		
B.				
C.				
D.				
TOTAL				\$

NOTE: The total cost shown herein is already included in the various items in the Total Bid Price in the Contractor's Proposal and is not additional to the pricing shown on the Bid Form.

Bidder by signature below, assures that the contractor performing trench excavating will comply with the applicable Trench Safety Standards. Failure to complete the above and submit with the Bid Form along with other required bidding documents, may result in the bid being declared non-responsive.

NOTE: BEFORE EXECUTION, CONTRACTOR IS REQUESTED TO REVIEW PAGE 2 OF THIS STATEMENT.

Submitted, signed and sealed this 25 day of Jan., 2010.

Contractor

By: Jeff Boykin Vice President

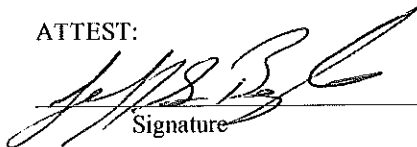
Name

Title

116 W. Center St., Minnedoka, FL 34715

Business Address

ATTEST:



Signature

Seal



NOTE:

If the Contractor intends to install pipe by some other method than trenching under the definitions found in the Trench Safety Act FS 553 - Part VI, he shall so indicate by outlining in the space provided below the method he proposes and how it will comply with the Trench Safety Act FS 553 - Part VI and related OSHA Standards for the Owner's evaluation.

The Cost of accomplishing the work by any alternate method to trenching is included in the bid prices shown in the Contractor's Proposal.

Outline of Alternate Method: N/A

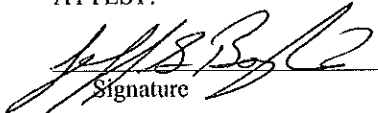
Submitted, signed and sealed this 25 day of Jan, 2010.

Boykin Construction, Inc.  
Contractor

By: Jeff Boykin, Vice President  
Name Title

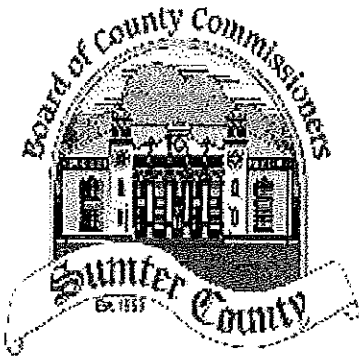
116 W. Center St., Minneola, FL 34715  
Business Address

ATTEST:

 Seal

End of section

\*Must be submitted with bid documents.



**BOARD OF SUMTER COUNTY COMMISSIONERS**  
**910 NORTH MAIN STREET**  
**BUSHNELL, FLORIDA 33513**  
**PHONE: (352) 793-0200 \* FAX: (352) 793-0207**  
**E-mail: [amanda.taylor@sumtercountyfl.gov](mailto:amanda.taylor@sumtercountyfl.gov)**

**Addendum #1ITB 144-0-2009/AT CR 528 East of CR 526A**

- A. Notice to Contractors: Whenever a conflict appears between this addendum and the initial solicitation, or plans, this addendum shall prevail, and as such shall constitute a binding portion of the contract documents. All provisions of the original specifications shall remain in force, except as specifically modified or changed herein.
- B. Additions, Deletions, and/or Clarifications: This addendum forms a part of the Contract Documents and modified the original Quote Documents as noted below and supersedes all contrary information and requirements. Contractors shall acknowledge receipt of this Addendum.

**Clarification 1: Clarification on road closure and pricing for this project**

**Clarification 2:** Item 1. The Sumter County Board of County Commissioners concurs with the Engineer of Record proposal to allow temporary closure of CR 528 as shown on the "Detour Plan" and the contractor will be allowed to implement the closure.

Item 2. The pay item for asphalt is being paid in square yards instead of tons because Sumter County is not paying the bonus or the asphalt price index as described in the FDOT specifications. All other FDOT specifications pertaining to Superpave asphalt shall be met on this project.

Item 3. Page 89 of the Invitation to Bid for CR 528 East of CR 528A Section 02510 – Asphalt Concrete Paving Part I – General, Section 1.2, A., Item #1 reads Basis of Measurement: Ton, should say "Basis of Measurement: Square Yards".

1096 100"  
125

# THE AMERICAN INSTITUTE OF ARCHITECTS



Bond No. 964-012-134

AIA Document A311

## Performance Bond

KNOW ALL MEN BY THESE PRESENTS: that Boykin Construction, Inc.

P.O. Box 38 Minneola FL 34755 (Here insert full name and address or legal title of Contractor)

as Principal, hereinafter called Contractor, and, Liberty Mutual Insurance Company

175 Berkeley Street Boston MA 02116 (Here insert full name and address or legal title of Surety)

as Surety, hereinafter called Surety, are held and firmly bound unto Sumter County Board of County Commissioners

910 North Main Street, Room 201 Bushnell FL 33513 (Here insert full name and address or legal title of Owner)

as Obligee, hereinafter called Owner, in the amount of

Three Hundred Thirty Two Thousand Nine Hundred Forty Nine Dollars and 18/100 Dollars (\$332,949.18),

for the payment whereof Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS,

Contractor has by written agreement dated

(Here insert full name, address and description of project)

CR 528 East of CR 526-A

, entered into a contract with Owner for

in accordance with Drawings and Specifications prepared by

(Here insert full name and address or legal title of Architect)

which contract is by reference made a part hereof, and is hereinafter referred to as the Contract.

# PERFORMANCE BOND

NOW, THEREFORE, THE CONDITION OF THIS Obligation is such that, if Contractor shall promptly and faithfully perform said Contract, then this obligation shall be null and void; otherwise it shall remain in full force and effect.

The Surety hereby waives notice of any alteration or extension of time made by the Owner.

Whenever Contractor shall be, and declared by Owner to be in default under the Contract, the Owner having performed Owner's obligations thereunder, the Surety may promptly remedy the default, or shall promptly

1) Complete the Contract in accordance with its terms and conditions, or

2) Obtain a bid or bids for completing the Contract in accordance with its terms and conditions, and upon determination by Surety of the lowest responsible bidder, or, if the Owner elects, upon determination by the Owner and the Surety jointly of the lowest responsible bidder, arrange for a contract between such bidder and Owner, and make available as Work progresses (even though there should be a default or a succession of

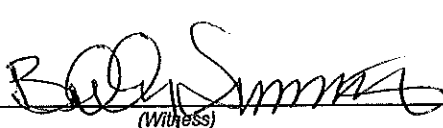
defaults under the contract or contracts of completion arranged under this paragraph) sufficient funds to pay the cost of completion less the balance of the contract price; but not exceeding, including other costs and damages for which the Surety may be liable hereunder, the amount set forth in the first paragraph hereof. The term "balance of the contract price," as used in this paragraph, shall mean the total amount payable by Owner to Contractor under the Contract and any amendments thereto, less the amount properly paid by Owner to Contractor.

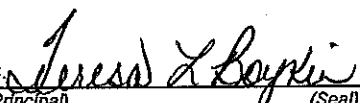

Any suit under this bond must be instituted before the expiration of two (2) years from the date on which final payment under the Contract falls due.

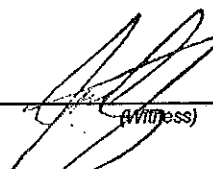
No right of action shall accrue on this bond to or for the use of any person or corporation other than the Owner named herein or the heirs, executors, administrators or successors of the Owner.

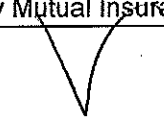
Signed and sealed this

day of

  
(Witness)

Boykin Construction, Inc.   
(Principal) (Seal)  
  
(Title)

  
(Witness)

Liberty Mutual Insurance Company  
(Surety) (Seal)  
  
(Title) Attorney-in-Fact

**FRONT PAGE OF  
PUBLIC PAYMENT BOND**  
Florida Statute 255.05

**BOND NO. 964-012-134**

**CONTRACTOR:** Boykin Construction, Inc.  
P.O. Box 38  
Minneola, FL 34755  
352-394-5993

**SURETY:** Liberty Mutual Insurance Company  
175 Berkeley Street  
Boston, MA 02117  
617-357-9500

**AGENT:** Nielson, Rosenhaus & Associates  
4000 South 57<sup>th</sup> Avenue, Suite 201  
Lake Worth, FL 33463  
(561) 432-5550

**OBLIGEE:** Sumter County Board of County Commissioners  
910 North Main Street, Room 201  
Bushnell, FL 33513  
352-793-0200

**PROJECT:**

**CR 528 East of CR 526A**

# THE AMERICAN INSTITUTE OF ARCHITECTS



Bond No. 964-012-134

AIA Document A311

## Labor and Material Payment Bond

THIS BOND IS ISSUED SIMULTANEOUSLY WITH PERFORMANCE BOND IN FAVOR OF THE OWNER CONDITIONED ON THE FULL AND FAITHFUL PERFORMANCE OF THE CONTRACT

KNOW ALL MEN BY THESE PRESENTS: that Boykin Construction, Inc.  
P.O. Box 38 Minneola FL 34755 (Here insert full name and address or legal title of Contractor)

as Principal, hereinafter called Contractor, and, Liberty Mutual Insurance Company  
175 Berkeley Street Boston MA 02116 (Here insert full name and address or legal title of Surety)

as Surety, hereinafter called Surety, are held and firmly bound unto Sumter County Board of County Commissioners  
910 North Main Street, Room 201 Bushnell FL 33513 (Here insert full name and address or legal title of Owner)

as Obligee, hereinafter called Owner, for the use and benefit of claimants as hereinbelow defined, in the

amount of Three Hundred Thirty Two Thousand Nine Hundred Forty Nine Dollars and 18/100  
(Here insert sum equal to at least one-half of the contract price) Dollars (\$332,949.18),  
for the payment whereof Principal and Surety bind themselves, their heirs, executors, administrators,  
successors and assigns, jointly and severally, firmly by these presents.

WHEREAS,

Principal has by written agreement dated \_\_\_\_\_, entered into a contract with Owner for  
(Here insert full name, address and description of project) CR 528 East of CR 526-A

in accordance with Drawings and Specifications prepared by \_\_\_\_\_  
(Here insert full name and address or legal title of Architect)

which contract is by reference made a part hereof, and is hereinafter referred to as the Contract.

# LABOR AND MATERIAL PAYMENT BOND

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION is such that, if Principal shall promptly make payment to all claimants as hereinafter defined, for all labor and material used or reasonably required for use in the performance of the Contract, then this obligation shall be void; otherwise it shall remain in full force and effect, subject, however, to the following conditions:

1. A claimant is defined as one having a direct contract with the Principal or with a Subcontractor of the Principal for labor, material, or both, used or reasonably required for use in the performance of the Contract, labor and material being construed to include that part of water, gas, power, light, heat, oil, gasoline, telephone service or rental of equipment directly applicable to the Contract.

2. The above named Principal and Surety hereby jointly and severally agree with the Owner that every claimant as herein defined, who has not been paid in full before the expiration of a period of ninety (90) days after the date on which the last of such claimant's work or labor was done or performed, or materials were furnished by such claimant, may sue on this bond for the use of such claimant, prosecute the suit to final judgment for such sum or sums as may be justly due claimant, and have execution thereon. The Owner shall not be liable for the payment of any costs or expenses of any such suit.

3. No suit or action shall be commenced hereunder by any claimant:

a) Unless claimant, other than one having a direct contract with the Principal, shall have given written notice to any two of the following: the Principal, the Owner, or the Surety above named, within ninety (90) days after such claimant did or performed the last of the work or labor, or furnished the last of the materials for which said claim is made, stating with substantial

accuracy the amount claimed and the name of the party to whom the materials were furnished, or for whom the work or labor was done or performed. Such notice shall be served by mailing the same by registered mail or certified mail; postage prepaid, in an envelope addressed to the Principal, Owner or Surety, at any place where an office is regularly maintained for the transaction of business, or served in any manner in which legal process may be served in the state in which the aforesaid project is located, save that such service need not be made by a public officer.

b) After the expiration of one (1) year following the date on which Principal ceased Work on said Contract, it being understood, however, that if any limitation embodied in this bond is prohibited by any law controlling the construction hereof such limitation shall be deemed to be amended so as to be equal to the minimum period of limitation permitted by such law.

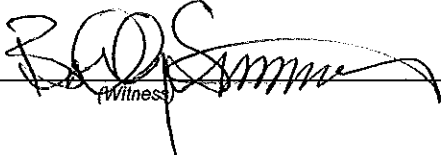
c) Other than in a state court of competent jurisdiction in and for the county or other political subdivision of the state in which the Project, or any part thereof, is situated, or in the United States District Court for the district in which the Project, or any part thereof, is situated, and not elsewhere.

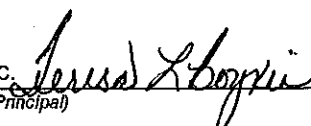

4. The amount of this bond shall be reduced by and to the extent of any payment or payments made in good faith hereunder, inclusive of the payment by Surety of mechanics' liens which may be filed of record against said improvement, whether or not claim for the amount of such lien be presented under and against this bond.

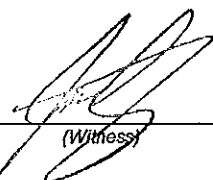
This bond is given to comply with Section 255.05 Florida Statutes, and any action instituted by a claimant under this bond for payment must be in accordance with the notice and time limitation provisions in Section 255.05(2), Florida Statutes.

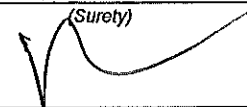
Signed and sealed this

day of

  
(Witness)

Boykin Construction, Inc.   
(Principal) (Seal)  
  
(Title)

  
(Witness)

Liberty Mutual Insurance Company  
(Surety) (Seal)  
  
(Title) Attorney-in-Fact

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

LIBERTY MUTUAL INSURANCE COMPANY  
BOSTON, MASSACHUSETTS  
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS: That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint

**BRETT ROSENHAUS, JASON KATZ, ALL OF THE CITY OF LAKE WORTH, STATE OF FLORIDA**.....

....., each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations in the penal sum not exceeding **FIFTY MILLION AND 00/100\*\*\*\*\*** DOLLARS (\$ **50,000,000.00\*\*\*\*\***) each, and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company in their own proper persons.

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article XIII, Section 5 of the By-Laws, Garnet W. Elliott, Assistant Secretary of Liberty Mutual Insurance Company, is hereby authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this 31st day of March, 2009.

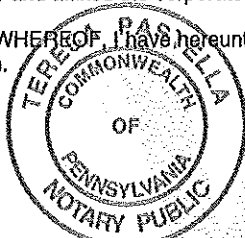
LIBERTY MUTUAL INSURANCE COMPANY

By Garnet W. Elliott  
Garnet W. Elliott, Assistant Secretary

COMMONWEALTH OF PENNSYLVANIA ss  
COUNTY OF MONTGOMERY

On this 31st day of March, 2009, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Teresa Pastella, Notary Public  
Plymouth Twp., Montgomery County  
My Commission Expires March 28, 2013  
Member, Pennsylvania Association of Notaries

By Teresa Pastella  
Teresa Pastella, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XIII, Section 5 of the By-laws of Liberty Mutual Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of Liberty Mutual Insurance Company at a meeting duly called and held on the 12th day of March, 1980.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.



By David M. Carey  
David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call  
1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.